

***IN THE DISTRICT COURT OF THE UNITED STATES
For the Western District of New York***

MARCH 2005 GRAND JURY
(Empaneled 03/24/05)

THE UNITED STATES OF AMERICA

06-CR-6009CJS

-vs-

SUPERSEDING INDICTMENT

MARIAN ASENOV PENEV

Violation:

18 U.S.C. § 2422 (b)

COUNT 1

The Grand Jury Charges:

Beginning in or about early February 2005 and continuing until on or about December 26, 2005, in the Western District of New York, and elsewhere, the defendant, MARIAN ASENOV PENEV, did, by causing electronic communications to be sent via the internet to an individual he believed was a 12 year old female and then a 13 year old female, use a facility and means in interstate and foreign commerce knowingly to persuade, induce, and entice, and to attempt to persuade, induce, and entice, an individual, he believed to be less than 18 years of age, to engage in sexual activity for which he could be charged with a criminal offense under the laws of the State of New York, namely, a violation of one or more of the following sections of the New York State Penal Law: Section 130.60 (Sexual Abuse in the Second Degree); Section

130.45 (Criminal Sexual Act in the Second Degree); and Section
130.30 (Rape in the Second Degree).

**All in violation of Title 18, United States Code, Section
2422 (b) .**

DATED: Rochester, New York, October 4, 2006.

TERRANCE P. FLYNN
United States Attorney

By: s/ RICHARD A. RESNICK
Assistant U.S. Attorney
United States Attorney's Office
Western District of New York
620 Federal Courthouse
100 State Street
Rochester, New York 14614
(585) 263-6760, ext. 2241

A TRUE BILL:

s/ Foreperson